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# THE SITUATION OF DEMOCRACY AND HUMAN RIGHTS IN HAITI

## Report of the Secretary-General

## Addendum

## I. INTRODUCTION

1. The present report is submitted to the General Assembly following the report of the Secretary-General of 25 January 1996 (A/50/861) on the situation of democracy and human rights in Haiti, and pursuant to resolution 50/86 B of 3 April 1996, in which the Assembly, inter alia, requested the Secretary-General to submit regular reports to it. The report provides a description of the activities of the International Civilian Mission to Haiti (MICIVIH), under the joint auspices of the Organization of American States (OAS) and the United Nations, an assessment of the human rights situation and an evaluation of the institutions whose operations are crucial to the promotion and protection of human rights. The report also outlines future activities of the Mission should its mandate be extended in response to the request of the President of Haiti dated 18 July 1996. The report has been prepared in consultation with OAS.

## II. THE POLITICAL CONTEXT

2. The smooth transfer of power on 7 February 1996 between the outgoing President, the Reverend Jean-Bertrand Aristide, and the newly elected President, René Préval, completed the installation of elected officials, begun in 1995 with parliamentary, municipal and local government (Conseil d'administration de section communal) (CASEC) elections. It also constituted a major step in the consolidation of the democratic process in Haiti.

3. The new Prime Minister, Rosny Smarth, nominated by President Préval and ratified by Parliament, took office on 6 March 1996. The incoming government, which represented a certain measure of continuity with the outgoing government

of Prime Minister Claudette Werleigh, was required to immediately address a number of pending and fundamental problems. Policies had to be devised to address pressing socio-economic problems. Institutional reinforcement needed to be continued and deepened, in particular with reference to judicial reform and the new Haitian National Police (HNP), whose deployment was completed in February 1996. In the domain of security, widespread perceptions of insecurity persisted, heightened by attacks on the police which led to the deaths of seven police agents, and by a high incidence of armed crime, including several kidnappings for ransom over a short period of time. These developments, and a resurgence of protests by former members of the Haitian Armed Forces (FADH), which seemed to indicate an increased level of support and organization, did nothing to allay apprehensions of a re-emergence of paramilitary groups and the threat they could pose to the consolidation of the democratic process in Haiti.

4. The political situation, nevertheless, remained generally quite calm. Opposition parties afforded the Government a three-month grace period. However, the lack of unity in the political grouping that constitutes the Assembly majority on which the Government is based became more evident, and it became clear that significant opposition to the Government's policies would come from within its own ranks. Economic polices advocated by the Government, including public service reform, the modernization of state enterprises and a structural adjustment agreement with the International Monetary Fund, became major political issues.

## III. WORK OF THE INTERNATIONAL CIVILIAN MISSION TO HAITI

5. The United Nations component of MICIVIH was reduced in February from 87 to 32 observers. There was a similar reduction in the number of observers deployed by OAS. As a result, the Mission's total strength fell from 162 observers in 12 regional offices to 64 in 7 regional offices.

6. In response to President Préval's request on 9 February 1996 for MICIVIH to remain in Haiti (A/50/861/Add.1 of 15 February 1996), the General Assembly adopted resolution 50/86 B, extending the mandate of the United Nations component of MICIVIH until 31 August 1996.

7. In accordance with this resolution, the responsibilities of MICIVIH during its extended mandate comprised the following major elements: (a) verifying full compliance by Haiti with human rights and fundamental freedoms enshrined in the Constitution of Haiti and the international treaties to which Haiti is a party; (b) providing technical assistance at the request of the Government of Haiti in the field of institution-building, such as the training of the police or the establishment of an impartial judiciary; and (c) supporting the development of a programme for the promotion and protection of human rights in order to further the establishment of a climate of freedom and tolerance propitious to the long-term consolidation of constitutional democracy in Haiti.

8. In view of the full deployment of the 5,300 agents of the Haitian National Police at the end of February 1996, and the reduction in the civilian police in the extended United Nations Mission in Haiti (UNMIH) from 900 to 300 officers,

monitoring respect for human rights by state security agents re-emerged as a core activity of MICIVIH.

9. In the area of institution-building, MICIVIH pursued a three-pronged approach. With respect to the improvement of prisons and conditions of detention, it continued to work in close coordination with the United Nations Development Programme (UNDP) in the implementation of a prison reform project financed jointly with the United States Agency for International Development (USAID). MICIVIH observers also worked in the field in collaboration with the civilian police (CIVPOL) of UNMIH, and later, of its successor mission, the United Nations Support Mission in Haiti (UNSMIH), to monitor police conduct. At the request of CIVPOL, the International Criminal Investigation Training Assistance Program (of the United States Department of Justice) and the directors of the police training school, MICIVIH provided training in human rights and on international standards regulating the use of force and firearms. With respect to judicial reform, MICIVIH cooperated with both the Ministry of Justice and major donors. The Mission also made presentations at the Magistrates School as well as at law faculties throughout the country. In the three major spheres of institution-building, MICIVIH used the information and assessments of its observers in the field to make recommendations to the relevant Haitian authorities.

10. Notwithstanding delayed budget appropriations and counterpart programmes, the activities of MICIVIH in the area of human rights promotion and civic education proved to be one of its most dynamic areas of activity.

11. In addition to the reporting requirements set forth in relevant United Nations and OAS resolutions, MICIVIH produced weekly reports on the human rights situation for distribution, in particular, to the Haitian authorities. In-depth reports were published on the justice system and the police, and were widely distributed among government officials, donors and other interested parties. MICIVIH maintained a continuous and active programme of data collection on all reported incidents of violence involving actual or possible human rights abuses.

## IV. THE HUMAN RIGHTS SITUATION

12. Overall, the situation continued to improve and policy statements by Governments and police authorities indicated that the State remained committed to upholding human rights and improving accountability. Nevertheless, the rate of improvement was slow and serious human rights violations were reported, including summary execution, deliberate shooting and ill-treatment or torture of suspects by the police. The new police force's record in this respect is mixed and it urgently needs to strengthen disciplinary mechanisms and to initiate criminal proceedings against any of its agents suspected of involvement in grave human rights violations.

### A. Reports of abuses by Haitian National Police

13. Despite operational and other constraints, including lack of experience and supervision, most police agents discharged their duties in a professional

manner. Abuses occurred primarily during public demonstrations or police efforts to arrest violent or potentially violent suspects. There was continuing problems with the unlawful and disproportionate use of firearms by police and by off-duty police agents. Serious cases including the shooting in March of eight people during police operations in the Cité Soleil neighbourhood of the capital; the deaths in June of at least two suspects in police custody; and the deaths resulting from torture of two more in Croix des Bouquets (Department of the West).

14. While relatively few in 1995, allegations of ill-treatment, including the administration of electric shocks to persons in police custody, rose significantly in 1996, with more than 80 people allegedly being beaten or otherwise ill-treated during questioning between January and June.

### B. Alleged abuses by prison guards

15. Although prison guards under the civilian Administration pénitentiaire nationale (APENA) generally respected the rights of detainees in Haiti's prisons, there were reported abuses, including the alleged beating of 15 minors, one of whom was found dead in his cell two days later. The exact cause of death was unknown, but, in spite of his poor medical condition on arrival at the prison, the victim received no medical treatment. The guards reportedly responsible for the beatings were subsequently dismissed for an unrelated reason. APENA guards in most regions, among them former members of the armed forces, were observed to carry privately owned weapons, in breach of prison regulations.

### C. Irregular arrest and detention

16. While most police authorities throughout the country made laudable efforts to ensure that arrested suspects saw a judge within the 48-hour limit stipulated by Haitian law, some failed to respect this procedure. MICIVIH found a number of suspects held for periods of between a week and a month without seeing a judge. In some cases, MICIVIH also found that the legality of the detention had not been established nor were detainees always informed of the reason for detention.

17. In spite of improvements in some regions, processing delays, caused primarily by lack of organization, judicial staff and ability to carry out adequate investigations, continued to result in the majority of prisoners being held in pre-trial detention, sometimes for periods longer than the maximum legal term for judicial investigation, or even beyond the maximum prison sentences for the offences alleged.

### D. Investigation of abuses

18. Government and police authorities have demonstrated commitment to investigating human rights abuses and sanctioning those found responsible. A disciplinary code for police entered into force in March 1996, supplementing the

code of ethics and conduct (code de déontologie) implemented in August 1995. The General Inspectorate of HNP, charged with receiving complaints of abuses and conducting inquiries, has established a firm presence. While inquiries were opened in a number of cases, and sanctions imposed on some police agents, final decisions were announced in only a small number of cases. Full information on the results of police inquiries was not always made public, although improvements in this regard were evident in June and July. Judicial inquiries were initiated in only a small number of cases of police accused of committing abuses, and few have yet resulted in prosecution before the courts.

19. Some measures were taken against prison guards suspected of beating detainees. However, investigation of abuses in Haiti's prisons remained in effect the responsibility of the Deputy Director-General, with no internal body established to conduct inquiries or recommend sanctions. The preparation of a code of conduct and internal regulations for prison guards was, however, initiated.

### E. Prosecution of suspected human rights violators under the coup d'état

20. Following complaints naming more than 300 former members of the security forces and their associates, prosecution of those accused of human rights abuses during the de facto regime proceeded in various parts of the country. Few cases have reached the trial stage, however, and even fewer convictions have been obtained. This was partly attributable to procedural problems, including incorrect preparation of dossiers, resulting in the release of some suspects on technical grounds; suspects being released after judges invoked the statute of limitations; inaction on the part of prosecuting authorities; and victims' or witnesses' fear of testifying.

21. The report of the National Commission on Truth and Justice, which was charged with investigating human rights violations under the coup d'état, was delivered to the President of Haiti on 5 February 1996, and its recommendations made publicly available in April. A government committee was recently designated to make recommendations on the follow-up to the Commission's report.

### F. Popular "justice"

22. Lack of public confidence in the justice system led to incidents of popular "justice", where angry crowds attacked and killed suspected criminals sometimes even after the victim had been taken into police custody. Some 80 such incidents, recorded by MICIVIH, demonstrated the difficulties faced by police and judicial officials in imposing legal authority.

23. Public disregard for decisions taken by judicial authorities also led to violent protests, often accompanied by attacks on courts, prosecutors' offices and police stations, and resulted in courts being closed for periods ranging from a few days to several months. In some cases, judges were threatened or subjected to pressures, which undermined their capacity to act. In some regions, protests occurred in the context of political conflict between elected

government, police and judicial officials, or involved members of popular organizations hostile to the police.

## V. STATUS OF THE MAIN INSTITUTIONS RESPONSIBLE FOR HUMAN RIGHTS PROTECTION

### A. The Haitian National Police

24. One year after the creation of HNP, some 5,200 police officers had received basic training and 5,558 agents had been deployed. The formal structures of the police force were in place, and the first components of specialized units were being established, notably a riot control unit (Compagnie de maintien de l'ordre), a rapid intervention force (Compagnie légère d'intervention) and a criminal investigation unit (Brigade d'enquêtes criminelles). The latter remained in need of considerable further training and resources. A committee chaired by President Préval was created to chart the institutional development of HNP, to monitor compliance with specific tasks and to pursue problems affecting the performance and functioning of the force. Structural weaknesses and operational constraints continued to affect the capacity of the police to fulfil their tasks and police were confronted by disturbing cases of violent crime, particularly in the capital. Seven police agents were killed by unknown assailants between March and mid-July.

25. While some police officers who demonstrated leadership capacities during their initial deployment were promoted to local inspector positions, large gaps in command structures remained. Initial action was taken to fill these gaps through the selection and training of candidates for appointments as police captains and at other supervisory levels. The full integration into HNP of a number of interim police officers, including Guantanamo-trained agents, those trained by Canadian police (the "Regina" agents), and former FADH members, has not been completed and their undefined status has caused internal tensions.

26. In some rural areas, when police officers refused to deploy to outlying districts, citing lack of facilities and logistical problems, judicial and other local authorities frequently improvised by relying on locally elected officials (CASEC) or unofficial communal police, who sometimes worked in collaboration with HNP to carry out police duties. In Port-au-Prince, some excesses led, in May, to the disbanding of parallel security units, such as the Service d'intelligence national (SIN), while in the case of several other armed units, such as those for ministerial, presidential and palace security, their incorporation in HNP command structures still needs to be clarified, as do their powers to arrest, as well as to search vehicles and homes. In this context, the recent creation by several municipalities, including Port-au-Prince and Delmas, of armed local police forces placed under the authority of the mayors is a cause for concern.

27. MICIVIH participated in training police supervisors and riot police, enlarging the scope of its presentations from human rights standards to include that of relations with civil and judicial authorities and the population. The Mission published a collection of internal police regulations, and translated police codes of conduct into Creole for publication and distribution. MICIVIH

supported HNP community policing efforts, and participated in meetings between departmental police officials and the population in a number of communes.

28. Throughout the country, MICIVIH continued to monitor police performance with respect to human rights, including systematic monitoring of detention in police facilities (garde à vue). Information on alleged human rights abuses was regularly submitted to national police authorities and to the Inspectorate General. The authorities responded positively to these initiatives and, where not already in progress, inquiries were initiated in a number of cases. In July, the Mission produced a detailed report on the performance of HNP during its first year of operation, which was distributed, inter alia, among police and government officials and the donor community. The report contained a series of recommendations to strengthen human rights safeguards. Action was initiated by the authorities in many of the cases referred to in the report, including the suspension of some police agents pending the outcome of official inquiries. MICIVIH submitted information to the criminal investigation unit on human rights violations during the coup d'état period for further investigation leading to prosecution.

## B. Prisons and detention centres

29. APENA, the civilian body responsible for Haiti's prisons, was incorporated as an independent entity within the overall structure of the Haitian National Police, in conformity with the 1987 Haitian Constitution. However, the relationship between HNP and APENA has yet to be formally defined. Disciplinary regulations, codes of conduct for staff, and regulations for detainees have not been drafted, and enforcement mechanisms also require definition. Coordination between prison and police authorities improved in many regions, particularly with respect to the treatment of detainees, but some frictions persisted, particularly in the capital. Prison guards' perception of increased threats to their own safety led to demands for personal firearms. Public concern centred on the issues of prison escapes and pre-trial release of individuals suspected of serious crimes.

30. Almost 80 per cent of detainees in APENA facilities (86 per cent in Port-au-Prince) were awaiting trial. The distribution of detention responsibilities between the police and APENA continued to be problematic, with significant numbers of detainees remaining in police detention facilities, in part owing to lack of transportation. Conditions in police detention centres were rudimentary, with police rarely in a position to provide adequate sanitation, nutrition and health care. Police agents frequently paid for detainees' food from their own pockets. The registration of persons in police detention was haphazard. MICIVIH raised these concerns with the Minister of Justice, who expressed willingness to enlist the assistance of the Mission in addressing the problems.

31. Individuals continued to be imprisoned for their inability to pay private debts, in contravention of applicable international norms. There was a tendency for prosecution not to be pursued in cases where detainees who posted bail were released from pre-trial detention. These problems were exacerbated by the

almost total inadequacy of the Haitian system of population registration (état civil), which prevents individuals' being traced.

32. The internationally funded programme of penal reform, which provided training to all prison directors, inspectors and supervisors, began to address the issue of reconstructing prison facilities, but implementation had not yet begun as of mid-July. Sanitation, nutrition and health care in prisons improved, but remained below internationally acceptable standards. The prison administration trained and deployed prison social workers, and MICIVIH contributed training on acceptable minimum standards.

33. MICIVIH observers regularly visited prisons and detention centres to assess the judicial status of detainees, to monitor the effective maintenance of registration systems and to provide assistance in the organization of prison registers and dossiers. The preparation of a full report on the Haitian prison situation, containing recommendations for improvements, was initiated.

## C. The justice system

34. Following the establishment of President Préval's new Government, the Ministry of Justice installed state secretariats for judicial reform and public security. Close coordination continued between the Ministry of Justice and the international donor community on judicial reform. The priority accorded this sector by the Government was underlined by the initiation of a monthly coordinating meeting chaired by the Prime Minister. The Ministry of Justice conducted a retreat designed to provide Ministry staff with an opportunity to reflect on the direction of reform. This was followed by a comprehensive paper on judicial reforms and a strategy paper on the priorities and timetable for implementation. MICIVIH contributed its technical expertise to these efforts. The first private association of judges was established in February, and in May, a constitutionally mandated ombudsman (Office de la protection du citoyen) was appointed, although, as of July, resources had not yet been allocated.

35. The reporting period saw some improvement in the judicial processing of cases, leading to an increased ratio of convicted prisoners to detainees awaiting trial. MICIVIH initiated regular local meetings between prison, judicial and police authorities in order to improve communications, streamline the pre-trial phase of prosecutions and avoid detainees getting "lost" in the system. These initiatives resulted in improved coordination at the local level. Nevertheless, judicial investigations were incomplete or virtually non-existent in some localities. Some training was carried out for judicial and prosecution officials, but further training, and resources, are needed to strengthen the investigative capacity of prosecution officials.

36. Material problems with court buildings, basic equipment and means of transportation remain. Salary payments for judicial officials have remained tardy, and low salary levels are still a concern. The judicial inspectors, mandated one year ago, were unable to function outside the capital for lack of resources. Basic court administration and budgeting skills need strengthening. Reporting between the judicial hierarchy and the Ministry has improved, but

problems persist with communications and the Ministry's ability to process information.

37. The inability of the justice system to bring suspected criminals speedily to trial has had a negative impact, not only on public perceptions of the judiciary, but also on perceptions of the police and penal systems. Lack of sufficient personnel continued to hamper its functioning. Lack of security for judges sometimes led to courts being closed under popular pressure. The Minister of Justice recently announced the intention to establish more courts. Discussions continued on policies for judicial appointments and tenure, centring on judicial qualifications and conformity with the Constitution. However, legal professionals and others increasingly voiced a need for an extended national public debate on directions for judicial reform.

38. MICIVIH provided the Haitian legislature, and the Ministers of Justice and Foreign Affairs, with an inventory and copies of United Nations and OAS human rights treaties not ratified by Haiti. MICIVIH continued to collaborate closely with Canadian, French and United States initiatives for strengthening the judicial system. Particular efforts were directed at improving the administration of prosecution departments, through a joint pilot project in six key provincial cities, designed to enhanced the ability of the system to pursue cases through to trial. MICIVIH provided technical assistance in the drafting of proposed ministerial circulars relating to arrest and detention, search and seizure, police detention, and the use of Creole in the administration of justice. MICIVIH also drafted a proposed law on the prohibition of imprisonment for civil debt.

39. Training by MICIVIH jurists continued at the judicial training college (Ecole de la Magistrature) on principles of human rights and fair criminal procedures. Training was expanded to include the use of human rights instruments in domestic proceedings. However, confirmation of the status of the training college and its role in the judicial career have yet to be determined. An initial experiment was conducted by MICIVIH in the training of justices of the peace in mediation and conflict-resolution techniques, to help them better fulfil this aspect of their responsibilities and also to help reduce the number of cases before the courts, thereby improving public confidence in judicial officials. Initial reports indicated that some judges were successfully implementing the techniques learned. Other training activities included collaboration with international initiatives in training legal aid lawyers, and teaching at provincial law schools on human rights law, particularly in relation to criminal justice and its relevance to Haiti.

40. MICIVIH observers continued to visit judicial officials and courts throughout the country, to attend trials, to monitor the legal status of detainees, and to discuss matters relating to the law and human rights with members of the judiciary. Observers assisted in the organization and maintenance of registers in prosecutors' offices and at the courts. In meetings with judicial officials, notably Commissaires du gouvernement, MICIVIH continued to emphasize judicial responsibility for monitoring prison registration and conditions.

41. In May, MICIVIH published a detailed evaluation of the functioning of the criminal justice system and made a substantial number of recommendations for reforms, based on its observations in the field. The report was distributed to judicial and government officials, human rights organizations, donor countries and other interested parties. MICIVIH worked with CIVPOL on a joint evaluation of the police, the prison system and the judiciary in each regional department.

42. Judicial reform in Haiti is an issue that will remain topical for quite some time. The emphasis on training is beginning to show small benefits, although these could still be negated if the rapid turnover of officials - particularly justices of the peace - continues at the present pace. Projects to improve the administration of justice have also produced some tangible results, but the major bottlenecks have not yet been removed. The objectives of judicial reform, and the strategies to attain them, have in large parts been defined, although concrete action for their implementation is still pending. Precisely because of its long-term nature, judicial reform requires not only clarity, but also stamina and energy, to keep the process moving forward over the inevitable obstacles.

## VI. HUMAN RIGHTS PROMOTION

43. Under the broad rubric of strengthening civil society and disseminating information on human rights, the Mission produced brief television and radio items on the role of the police, prison conditions, citizens' participation in democracy, defamation laws, equal access to education for girls, and child domestic servants. The programmes were distributed to media throughout the country. In addition, MICIVIH produced half-hour training videos and 10-minute programmes on the relationship between the public and elected government officials, police and the justice system, conflict resolution, culture and human rights, violence against women and freedom of expression. MICIVIH also hosted a series of radio programmes, broadcast throughout southern Haiti, during which listeners phoned in questions to observers and invited guests. The programmes focused on the role of judges, the responsibilities of the police and other human rights matters. The Mission produced a range of posters and booklets relating to the police, arrest and complaints procedures, the criminal code, violence against women, peaceful conflict resolution and citizens' participation in democratic society.

44. Human rights education programmes were designed to reach a broad range of actors in civil society, as well as elected and appointed local government officials. MICIVIH trained several hundred leaders from peasant, women's and popular organizations. Many of these individuals subsequently ran their own seminars, initially with MICIVIH support, for members of their organizations, schools and local communities. A training programme for members of human rights organizations included short seminars on human rights investigation, forensic anthropology and judicial reform, as well as a two-week intensive course on various aspects of human rights work. Seminars for journalists were held in all Haiti's principal towns. They focused on the role of journalists in democratic society, human rights principles, techniques of investigation and the role of the police. Local police officials were invited to participate in discussions with journalists on relations between police and the media.

45. Seminars were held for local government officials (CASEC) in communities throughout the country. Often the only Government presence in rural areas, CASEC members carry out a range of tasks relating to local government and the maintenance of order. Representatives from more than half the country's CASECs attended the seminars, which focused on the new law on local assemblies, the functioning of the justice system, the role of the police, and citizens' participation in democracy. Judges, police and civic leaders also participated in the seminars.

46. The Mission continued to assist in the development of Haitian facilities for the provision of medical, social and psychological assistance to victims of human rights violations under the coup d'état. The Mission also organized a week of activities on medicine and human rights, during which forums were jointly organized with the medical, nursing and psychology faculties of the State University of Haiti. Discussions focused on concepts of medical ethics, assistance to victims of violence, and the need for social and psychological reparation.

47. MICIVIH observers worked with local officials to sponsor human rights art competitions, with public ceremonies for the presentation of winning entries and the painting of public murals on human rights themes, for audiences who lack access to other media.

48. In cooperation with the Ministry of Women's Affairs, MICIVIH organized a series of seminars on women's rights, covering international and Haitian law, discrimination, violence against women and women's participation in public life. MICIVIH offered assistance to the Ministry of Education, Youth and Sport in developing curricula on human rights and civic education and the teaching of conflict resolution.

## VII. RELATIONS WITH INTERNATIONAL AGENCIES

49. MICIVIH continued to work in collaboration with UNDP in support of reform and respect for human rights in Haiti's prisons. Joint endeavours included a project to identify all detainees held in prisons and verification of their legal status. The results of the census will be used to define necessary reforms and to facilitate speedy trials and due process of law in the case of wrongfully detained individuals.

50. A joint project was initiated between MICIVIH and the United Nations Educational, Scientific and Cultural Organization (UNESCO). It provided training in conflict resolution and built on the efforts of MICIVIH to acquaint judicial officials, peasant leaders and members of human rights organizations with peaceful methods for resolving disputes, and with UNESCO's International Culture of Peace Programme. The project involved seminars for judicial authorities and members of human rights organizations, as well as production of Creole-language posters and brochures, a training video, and theatrical presentations on conflict resolution.

51. MICIVIH had continuing and fruitful exchanges with UNDP, the United Nations Children's Fund, the United Nations Population Fund and the World Health Organization on the Mission's human rights promotion activities.

## Relations with the United Nations Mission in Haiti/the United Nations Support Mission in Haiti

52. MICIVIH staff members participated in the tripartite working groups, comprising Haitian Government officials, representatives of the Friends of the Secretary-General for Haiti 1/ and staff members of UNMIH and its successor mission UNSMIH. The groups addressed a range of issues relating to public security, the maintenance of order and the functioning of HNP. MICIVIH continued to work in collaboration with the military and police components of UNMIH/UNSMIH. MICIVIH participated in the weekly coordination meetings of the UNMIH/UNSMIH civilian, military and CIVPOL information officers, and regularly supplied the UNMIH/UNSMIH Public Information Unit with video material.

53. MICIVIH provided CIVPOL with detailed information on reported human rights abuses and, where relevant, with information on operational and other difficulties affecting the functioning of HNP in the regions. At the local level, MICIVIH observers cooperated closely with CIVPOL agents, engaging in the daily exchange of information, particularly on matters relating to security, HNP and the treatment of detainees. Throughout the regions, CIVPOL members participated in meetings and seminars hosted by MICIVIH on the role and responsibilities of police in a democratic society. At the meetings, CIVPOL officers frequently gave presentations on aspects of police work and were available to answer questions by HNP members, judicial officials and others. The administrative component of UNMIH/UNSMIH continued to provide MICIVIH with the full range of administrative services, described in my report of 25 January 1996 (A/50/861, para. 40).

# VIII. CONCLUSION

54. In my previous report to the General Assembly, I stressed the Mission's field experience and expertise in the promotion and protection of human rights and the strengthening of institutions. The present report, based on information from MICIVIH observers in the field, provides a comprehensive picture of the progress made to date in the areas of responsibility assigned to MICIVIH under its extended mandate. Full deployment of the new police force has been achieved and the conditions prevailing in prisons throughout the country have improved somewhat. Efforts are under way to rebuild the judiciary system.

55. However, practices contrary to international human rights principles, incidents of popular "justice" and lack of security for judges and police agents demonstrate the continued fragility of the existing or newly established institutions. Work remains to be done to further both the Government's and the international community's efforts to improve their functioning and to increase the public confidence that will be required if a democratic future is to be assured for Haiti. Human rights education and training of both the future trainers and the basic personnel are crucial to the proper operation of the

police and justice systems. Technical assistance and monitoring are still needed as well as consolidation of civic and human rights education programmes.

56. In view of this, and in response to President Préval's request in the attached letter of 18 July 1996, I recommend that the General Assembly authorize an extension of the mandate of the United Nations component of MICIVIH until 31 December 1996 under its existing terms of reference. Bearing in mind the sharp reduction of staff in February 1996, I recommend that the staffing level remain the same.

## Notes

1/ The six Friends are: Argentina, Canada, Chile, France, United States of America and Venezuela.

ANNEX

[Original: French]

Letter dated 18 July 1996 from the President of Haiti addressed to the Secretary-General

The efforts undertaken by my Government to strengthen democratic institutions and guarantee increased respect for human rights are being pursued and are continuing to yield satisfactory results.

Nevertheless, there is a long way to go before these institutions will be strong enough fully to play the role which the population expects of them.

The support which the OAS/United Nations International Civilian Mission (MICIVIH) is giving to institutions whose proper functioning is vital to the promotion and protection of human rights and fundamental freedoms remains extremely useful and I believe that the Mission still has an important role to play.

I should therefore like to request that its presence in Haiti be prolonged and should be grateful if you would transmit this request to the General Assembly.

(Signed) René Préval

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